

Message Text

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AMEMBASSY MADRID

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AMEMBASSY PARIS

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USMISSION NATO

DIA WASHDC

USCINCEUR VAIHINGEN GER

C O N F I D E N T I A L LISBON 5859

E.O. 11652: GDS

TAGS: PINT, PO

SUBJECT: CONSTITUENT ASSEMBLY

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(B) LISBON 5474 DTG 171511Z SEP 75

SUMMARY: CONSTITUENT ASSEMBLY (CA) APPROVED LAST ARTICLE OF CHAPTER I, TITLE III (ECONOMIC RIGHTS AND DUTIES) OF THE CONSTITUTION ON SEPT 29. DEBATE ON CHAPTER I, WHICH DEALS, INTER ALIA, WITH LABOR ORGANIZATION, PRIVATE PROPERTY, AND ROLE OF WORKERS COMMISSIONS WAS PROLONGED AND BITTER, WITH SOCIALISTS PLAYING ROLE OF ARBITER BETWEEN POPULAR DEMOCRATS AND COMMUNISTS. POSSIBILITY EXISTS THAT CA WILL BE UNABLE TO COMPLETE CONSTITUTION

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BY DECEMBER 5 DEADLINE. RETURN OF PCP TO DAILY PRE-AGENDA

DEBATES ON TOPICS OF NATIONAL INTEREST, COUPLED WITH RECENT PARTICIPATION OF CA DELEGATIONS IN INTERNATIONAL EUROPEAN MEETINGS, ARE INDICATIVE OF ASSEMBLY'S ENHANCED POLITICAL SIGNIFICANCE. END SUMMARY.

1. ASSEMBLY PROGRAMS: CONSTITUENT ASSEMBLY COMPLETED DEBATE ON CHAPTER I, TITLE III (ECONOMIC RIGHTS AND DUTIES) OF THE CONSTITUTION ON SEPT 29. CHAPTER DEALS WITH SEVERAL TOPICS OF POLITICAL AND ECONOMIC SIGNIFICANCE, (ANALYSIS OF ECONOMIC PROVISIONS FOLLOWS SEPT 29) INCLUDING:

- LABOR ORGANIZATION (ARTICLE 11): TRADE UNION FREEDOM IS GUARANTEED AT ALL LEVELS. LABOR LEADERSHIP WILL BE ELECTED BY SECRET BALLOT. (SEE REF A).
- PRIVATE PROPERTY (ARTICLE 12): EXCEPT AS LIMITED BY CONSTITUTION OR LAW, RIGHT TO POSSESS PROPERTY IS GUARANTEED. INDEMNIZATION IS PROVIDED FOR IN CASES OF EXPROPRIATION.
- WORKERS' COMMISSIONS (ARTICLE 7): WORKERS' RIGHT TO ORGANIZE COMMISSIONS FOR THE DEFENSE OF THEIR INTERESTS IS GUARANTEED. COMMISSIONS' RIGHT TO EXERCISE OF "CONTROL" OVER MANAGEMENT IS EXPLICITLY RECOGNIZED, AS IS THEIR RIGHT TO "ANY INFORMATION NECESSARY TO CARRY OUT THEIR FUNCTIONS." LEADERSHIP OF COMMISSIONS WILL BE ELECTED DIRECTLY BY SECRET BALLOT.

2. VOTING: PARTIES SPLIT ALONG PREDICTABLE LINES IN DEBATE AND VOTING ON CHAPTER I, WITH PS (WHICH HAS 215 OF CA'S 250 DEPUTIES) ASSUMING ROLE OF ARBITER BETWEEN POPULAR DEMOCRATIC PARTY (PPD) AND CENTER SOCIAL DEMOCRATS (CDS) ON ONE HAND AND COMMUNISTS (PCP) AND FELLOW-TRAVELING PORTUGUESE DEMOCRATIC MOVEMENT (MDP) ON OTHER. PPD'S OBJECTIONS TO MARXIST LANGUAGE OF SEVERAL ARTICLES, AND ESPECIALLY ITS OPPOSITION TO USE OF WORD "CONTROL" IN ARTICLE 7 (THEY PREFERRED "PARTICIPATION"), LED TO WELL PUBLICIZED EXCHANGES BETWEEN THEM AND SOCIALISTS. PS COOPERATED WITH PPD AND CDS, HOWEVER, IN DEFEATING PCP ATTEMPTS TO OBTAIN ENDORSEMENT FOR PRINCIPLE OF MANDATORY SINGLE LABOR CONFEDERATION IN ARTICLE 11 AND TO ELIMINATE SECRET BALLOT PROVISIONS OF ARTICLES 7 AND 11.

3. DELAYS PROVOKE DOUBTS:
DEBATE ON CHAPTER I TOOK THREE WEEKS. WITH TWO MORE CONTROVERSIAL CHAPTERS REMAINING IN TITLE III AND MAJOR BATTLE EXPECTED
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OVER TITLE IV (ECONOMIC ORGANIZATION), DOUBTS HAVE ARISEN AS TO CA'S ABILITY TO COMPLETE CONSTITUTION BY DECEMBER 5 DEADLINE. PRESENT LAW CALLS FOR DISSOLUTION OF ASSEMBLY AND NEW ELECTIONS SHOULD DEADLINE BE REACHED WITHOUT CONSTITUTION HAVING BEEN DRAFTED, BUT KNOWLEDGEABLE EMBASSY SOURCES SAY THAT PRESENT ASSEMBLY WOULD BE GIVEN ADDITIONAL 30 DAYS TO COMPLETE TASK, SHOULD IT BECOME NECESSARY.

4. PCP RETURNS TO PRE-AGENDA DEBATE:

CA'S PERIOD OF PRE-AGENDA DEBATE ON TOPICS OF NATIONAL INTEREST TOOK ON NEW DIMENSION SEPT 23 WITH RETURN OF PCP DELEGATION TO SESSIONS. COMMUNISTS, ALONG WITH MDP, HAD UNTIL THEN BOYCOTTED SESSIONS AS BEING OUTSIDE COMPETENCE OF CA. SINCE ITS RETURN, PCP HAS TAKEN ADVANTAGE OF DEBATES TO CRITICIZE VI PROVISIONAL GOVERNMENT AND ATTACK PPD, WHICH HAS RESPONDED IN KIND. PCP-PPD ORATORICAL DEBATES HAVE ELICITED LIVELY PRESS COVERAGE.

5. INTERNATIONAL MEETINGS:

CA DELEGATIONS RECENTLY TOOK PART IN SEVERAL INTERNATIONAL MEETINGS IN EUROPE. ON SEPT 20, CA PRESIDENT HENRIQUE DE BARROS ADDRESSED COUNCIL OF EUROPE ON SITUATION IN PORTUGAL. CA GROUPS COMPOSED OF PS, PPD, AND CDS DEPUTIES LATER ATTENDED TWO DAY MEETING OF EFTA PARLIAMENTARIANS IN GENEVA AND VISITED NATO INSTALLATIONS IN BRUSSELS.

6. COMMENT: ECONOMIC PROVISIONS OF CHAPTER I SERVE AS REMINDER THAT PS, THOUGH ANTI-COMMUNIST, IS A MARXIST PARTY. ARTICLE 11 EFFECTIVELY CUTS THE GROUND FROM BENEATH MANDATORY SINGLE LABOR CONFEDERATION PRINCIPLE AND REPRESENTS MAJOR DEFEAT FOR PCP AND INTERSINDICAL (PCP-DOMINATED NATIONAL LABOR CONFEDERATION). PCP RETURN TO PRE-AGENDA SESSIONS IS INDICATION OF CA'S GROWING IMPORTANCE AS FORUM FOR DEBATE OF NATIONAL ISSUES. CA PARTICIPATION IN INTERNATIONAL CONFERENCES HAS GIVEN ITS PRESTIGE A BOOST.
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